

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PHILIP A. DOWNEY, ESQ.

Plaintiff,

v.

FIRST INDEMNITY INSURANCE, FIRST
INDEMNITY INSURANCE AGENCY, INC.,
FIRST INDEMNITY INSURANCE
SERVICES, INC., FIRST INDEMNITY
INSURANCE GROUP, ANDREW BIGGIO,
and JOHN M. BIGGIO, FIRST MERCURY
INSURANCE COMPANY, STATE
NATIONAL INSURANCE COMPANY,

Defendants.

No.: 13-4545

**DEFENDANTS FIRST INDEMNITY INSURANCE, FIRST INDEMNITY INSURANCE
AGENCY, INC., FIRST INDEMNITY INSURANCE SERVICES, INC., FIRST
INDEMNITY INSURANCE GROUP, ANDREW BIGGIO, and JOHN M. BIGGIO'S
MOTION FOR SUMMARY JUDGMENT**

Defendants, First Indemnity Insurance, First Indemnity Insurance Agency, Inc., First Indemnity Insurance Services, Inc., First Indemnity Insurance Group, Andrew Biggio and John M. Biggio (collectively "First Indemnity Defendants" or "Movants") hereby move the Court to enter summary judgment in their favor and against the plaintiff Philip A. Downey. As grounds for this motion, the Movants state that there are no disputed material issues of fact and that they are entitled to judgment in their favor as a matter of law. In support of this motion, the Movants rely on the Statement of Material Facts and Memorandum of Law, both of which are incorporated by reference herein.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP

/s/ George C. Rockas

George C. Rockas
Admitted Pro Hac Vice
Attorneys for Defendants
First Indemnity Insurance, First Indemnity
Insurance Agency, Inc., First Indemnity Insurance
Services, Inc., First Indemnity Insurance Group,
Andrew Biggio, and John M. Biggio,

260 Franklin Street, 14th Floor
Boston, MA 02110
(617) 422-5300

CERTIFICATE OF SERVICE

I, George C. Rockas, hereby certify that a true and correct copy of DEFENDANTS FIRST INDEMNITY INSURANCE, FIRST INDEMNITY INSURANCE AGENCY, INC., FIRST INDEMNITY INSURANCE SERVICES, INC., FIRST INDEMNITY INSURANCE GROUP, ANDREW BIGGIO, and JOHN M. BIGGIO'S MOTION FOR SUMMARY JUDGMENT was electronically sent by the Court to all counsel of record.

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP

/s/ George C. Rockas

George C. Rockas
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Dated: October 15, 2015